

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

SHANDLE MARIE RILEY,	:	
Plaintiff,	:	
v.	:	DOCKET NO. 1:19-cv-00304-HMS-CHS
HAMILTON COUNTY GOVERNMENT,	:	
DEPUTY DANIEL WILKEY, in his capacity	:	
as a deputy sheriff for Hamilton County	:	
Government and, in his individual capacity,	:	
DEPUTY JACOB GOFORTH, in his capacity	:	
as a deputy sheriff for Hamilton County	:	
Government and, in his individual capacity,	:	
Defendants.	:	

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**JOINT STATUS REPORT**

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Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the parties submit the following report and proposed discovery plan:

1. Counsel for the parties held a telephonic discovery planning conference on February 5, 2020 which time they discussed the nature and bases of the parties' claims and defenses, the possibilities of settlement, arrangements for the initial disclosures required by Rule 26(a)(1), issues relating to preserving discoverable information, and the development of a discovery plan. The parties were represented by Robin Ruben Flores (for Plaintiffs), James F. Exum (for Defendant Daniel Wilkey), Sharon Milling and R. Dee Hobbs (for Hamilton County Government) and W. Gerald Tidwell (for Jacob Goforth).

2. As a result of the discovery planning conference, it was agreed as follows:

- a. The parties **do not believe** that any changes should be made in the timing, form, or requirements for disclosures under Rule 26(a) of the Federal Rules of Civil Procedure. The parties will make all initial disclosures required by Rule 26(a)(1) on or before **March 6, 2020**.
- b. The parties **believe** that discovery, including depositions of expert witnesses if necessary, can be completed by **March 31, 2021**. Subjects for discovery include the factual allegations of the Complaints, Plaintiffs' damages, and Defendants' Answers and defenses.
- c. The parties **do anticipate disputes** over the disclosure or discovery of electronically stored information. To the extent that disclosure or discovery of such information becomes an issue, the parties will confer over the proper handling of the same and will supplement this discovery plan accordingly.
- d. The parties **do anticipate** issues relating to claims of privilege or production of documents entitled to protection as trial-preparation materials. The parties will revisit such issues as necessary in the course of discovery if the Court does not grant a stay.
- e. The parties do not believe that any changes should be made in the limitations on discovery imposed by the Federal Rules of Civil Procedure and the Court's local rules.
- f. The parties **anticipate** that discovery in this matter may include private medical records subject to the Health Insurance Portability and Accountability Act, and its implementing regulations. The parties will endeavor to agree on a protective order that they jointly will present to the Court for entry pursuant to Rule 26(c), Fed. R. Civ. P., that would allow the production of such medical records, and place limitations on the disclosure and use of such records.

3. The parties **do not** agree that this matter may be referred to a United States Magistrate Judge for all purposes.

4. The parties state that the prospects for settlement are unknown at this time.

5. The parties agree that the trial of this case, if necessary, would be expected to take fourteen days.

6. Given the multiple suits involving the County and Deputy Wilkey, the parties request that the Court not set a trial date at this time. The anticipated difficulties in obtaining

discovery from outside parties lead the parties to believe it would be better if the Court would set periodic status conferences to gauge the parties' progress and set a trial date later if the parties have made sufficient progress in discovery.

Respectfully submitted,

**TIDWELL AND ASSOCIATES, PC**

/s/ W. Gerald Tidwell, Jr.

**W. Gerald Tidwell, Jr., BPR#10136**

P. O. Box 4369

Chattanooga, TN 37405

Phone: (423) 602-7511

Fax: (423) 602-7515

***Attorney for Defendant Jacob Goforth***

[wgt@tidwellandassociates.com](mailto:wgt@tidwellandassociates.com)

**LAW OFFICE OF ROBIN R. FLORES,**

/s/ Robin Ruben Flores

**Robin Ruben Flores, BPR#020751**

4110-A Brainerd Road

Chattanooga, TN 37411

Phone: (423) 267-1575

Fax: (423) 267-2703

***Attorney for Plaintiffs***

[robin@robinfloreslaw.com](mailto:robin@robinfloreslaw.com)

**HAMILTON CO. ATTORNEY'S OFFICE**

/s/ R. Dee Hobbs

**R. Dee Hobbs, BPR# 010482**

Hamilton County Attorney's Office

204 County Courthouse

625 Georgia Avenue

Chattanooga, TN 37402

Phone: (423) 209-6150

Fax: (423) 209-6151

***Attorney for Hamilton County***

[bell.hobbslaw@gmail.com](mailto:bell.hobbslaw@gmail.com)

**HAMILTON CO. ATTORNEY'S OFFICE**

*/s/ Sharon McMullan Milling* \_\_\_\_\_

**Sharon McMullan Milling, BPR#036876**

Hamilton County Attorney's Office

204 County Courthouse

625 Georgia Avenue

Chattanooga, TN 37402

Phone: (423) 209-6162

Fax: (423) 209-6151

***Attorney for Hamilton County***

[SharonM@HamiltonTN.gov](mailto:SharonM@HamiltonTN.gov)

**CHAMBLISS, BAHNER & STOPHEL, P.C.**

*/s/ James Exum* \_\_\_\_\_

**James Exum, BPR#025377**

Chambliss, Bahner & Stophel, P.C.

Liberty Tower

605 Chestnut Street, Suite 1700

Phone: (423) 756-3000

Fax: (423) 265-9574

***Attorney for Defendant Daniel Wilkey***

[jfexum@chamblisslaw.com](mailto:jfexum@chamblisslaw.com)